AMENDMENTS TO THE CLAIMS

1. **(Currently amended)** An isolated nucleic acid comprising a continuous sequence as defined in SEQ ID NO:1 or a fragment thereof, wherein the fragment is less than 150 nucleotides in length and comprises SEQ ID NO: 4 and SEQ ID NO: 9.

2.-5. **(Canceled)**

6. **(Previously presented)** A vector comprising a nucleic acid according to Claim 1.

7. **(Previously presented)** A recombinant host cell comprising the vector in accordance with claim 6.

8. (**Previously presented**) A recombinant host cell according to Claim 7, wherein the vector expresses a polypeptide comprising a sequence as defined in SEQ ID NO: 10.

9-23. **(Canceled)**

24. **(Previously presented)** A kit comprising the isolated nucleic acid as set forth in Claim 1 and reagents for detecting hybridization of said nucleic acid.

25-27. **(Canceled)**

28. **(Previously presented)** A method for screening a subject for infection by a virus of the herpesvirideae group, the method comprising:

(a) obtaining a biological sample from said subject;

(b) contacting said biological sample from said subject with an isolated nucleic acid of claim 1; and

(c) detecting the presence or absence of hybridization between a nucleic acid in said biological sample and the isolated nucleic acid of claim 1, wherein the presence of hybridization indicates infection.

29. **(Canceled)**

30. **(Previously presented)** The method of claim 28, wherein the isolated nucleic acid is capable of selectively hybridizing to a nucleic acid encoding an IL-10 homologue expressed during the latent phase of infection by a virus of the herpesvirideae group.

31. **(Canceled)**

32. (**Canceled**)

33-39. **(Canceled)**

40. **(Withdrawn)** An immunogenic composition comprising the nucleic acid of Claim 1, wherein said nucleic acid encodes an antigenic fragment of SEQ ID NO: 10, together with a pharmaceutically acceptable carrier, adjuvant and/or diluent.

41. **(Withdrawn)** A method for inducing an immune response in a vertebrate against disease associated with infection by a virus of the herpesvirideae group, comprising administering to said vertebrate an immunologically effective amount of a vaccine of claim 40, wherein said method induces an immune response.

42. **(Withdrawn)** A method for the treatment and/or prophylaxis of disease associated with infection by a virus of the herpesvirideae group in a vertebrate, wherein said method comprises administering a therapeutically effective amount of the vaccine of claim 40, wherein said method treats or prevents disease associated with infection by a virus of the herpesvirideae group in a vertebrate.

43. **(Withdrawn)** The method of claim 41, wherein the vaccine is simultaneously or sequentially administered with cytokines.

44. **(Withdrawn)** The method of claim 43, wherein the cytokines are selected from the group consisting of: G-CSF, GM-CSF and interleukins.

45-51. **(Canceled)**

52. **(Previously presented)** A method of diagnosing infection or lack of infection of a subject by a virus of the herpesvirideae group, the method comprising:

(a) obtaining a biological sample from said subject;

(b) contacting said biological sample from said subject with the isolated nucleic acid of claim 1;

(c) detecting the presence or absence of hybridization between a nucleic acid in said biological sample and the isolated nucleic acid of claim 1, and

(d) diagnosing infection of said subject based on the presence of said hybridization or diagnosing lack of infection based on the absence of said hybridization.

53-57. **(Canceled)**

58. **(Previously presented)** The isolated nucleic acid of Claim 1, wherein said nucleic acid consists of said sequence as defined in SEQ ID NO: 1 or a fragment thereof that is less than 150 nucleotides in length and comprises SEQ ID NO: 4 and SEQ ID NO: 9.

59. **(Previously presented)** A method of diagnosis of a latent infection by a virus of the herpesvirideae group in a subject, the method comprising:

(a) obtaining a biological sample from said subject; and

(b) detecting the presence or absence of a nucleic acid according to Claim 1 in the sample, wherein detection of said nucleic acid is diagnostic of said latent infection.

60. **(Canceled)**

61. **(Currently amended)** The method of claim 60, wherein said detecting is performed by polymerase chain reaction utilizing a nucleic acid as defined in SEQ ID NO: 4 in combination with a nucleic acid fragment as defined in any one of SEQ ID NOs: 5-9.

62. **(Canceled)**